

Australian Capital Territory

# **Housing Assistance Rental Bonds Housing Assistance Program Delegation 2007 (No 1)\***

**Instrument of Delegation – NI2007-363**

made under the

**Housing Assistance Act 2007, s 17 (Delegation)**

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Under Section 17 of the *Housing Assistance Act 2007* (the Act) I delegate those of my powers under the *Housing Assistance Rental Bonds Housing Assistance Program 2007 (No 1)* specified in column 1 of the attached Schedule to each person holding or performing the duties of an office in the ACT Public Service specified in column 2 of the Schedule and which position number is stated in the Addendum.

Martin Hehir  
Commissioner for Social Housing

Date: 7 November 2007

\*Name amended under Legislation Act, s 60

This is page 1 of the Schedule (including Addendum) to the Instrument of Delegation for the *Housing Assistance Rental Bonds Housing Assistance Program 2007 (No 1)* under the *Housing Assistance Act 2007* signed by the Commissioner for Social Housing on 7 November 2007.

<b>COLUMN 1</b> <b>Provision and outline of power</b>	<b>COLUMN 2</b> <b>Office (Position Numbers shown on Addendum)</b>
All powers under the Rental Bonds Housing Assistance Program	Deputy Chief Executive; Executive Director; Director Housing ACT; Director Asset Management
<b>Clauses 4, 5, 6, 9(2), 11(2) and 18</b> – determine asset eligibility limit; determine liquid asset eligibility limit, determine assets of a kind which should be disregarded; determine income, or income of a kind, which should be disregarded; determine purposes for which excludable income may be expended; make determinations, issue housing operation guidelines; decide that certain time limits imposed by law are not relevant; approve forms for the program.	Deputy Chief Executive; Executive Director; Director Housing ACT; Director Asset Management only
<b>Clauses 7(1), 7(3) and 7(4)</b> – Provide a bond loan to an eligible applicant and enter into a loan agreement.	SOGAs; SOGBs; SOGCs; ASO6s; ASO5s; ASO4s
<b>Clause 7(7)</b> – Provide assistance by way of a grant of \$100.	SOGAs; SOGBs; SOGCs; ASO6s; ASO5s; ASO4s
<b>Clause 8(2)</b> – require information to be provided in relation to an application.	SOGAs; SOGBs; SOGCs; ASO6s; ASO5s; ASO4s; ASO3s; ASO2
<b>Clause 8(3)</b> – determine who are to be considered the applicant or joint applicants.	SOGAs; SOGBs; SOGCs; ASO6s; ASO5s; ASO4s
<b>Clause 9(1)</b> – decide whether an applicant meets the basic eligibility criteria	SOGAs; SOGBs; SOGCs; ASO6s; ASO5s; ASO4s
<b>Clause 9(3)</b> – decide to disregard any property in which an applicant has an interest.	SOGAs; SOGBs; SOGCs; ASO6s
<b>Clauses 9(4)(a), (b) and (c)</b> – determine that an applicant is eligible for assistance despite a debt or tenancy breach	SOGAs; SOGBs; SOGCs
<b>Clause 9(4)(d)</b> – determine that applicant is able to pay bond from own resources.	SOGAs; SOGBs; SOGCs
<b>Clause 9(4)(e)</b> - determine that applicant is ineligible because rent and repayments of loan are not affordable.	SOGAs; SOGBs; SOGCs
<b>Clause 9(5)</b> – decide that an applicant is eligible for assistance (despite misleading information, contrived schemes etc)	SOGAs; SOGBs; SOGCs
<b>Clause 9(6)</b> – Decide an applicant is not eligible due to failure to enter into a tenancy agreement within 28 days.	SOGAs; SOGBs; SOGCs; ASO6s; ASO5s
<b>Clause 10</b> - Disregard eligibility criteria if the applicant is suffering severe hardship.	SOGAs; SOGBs; SOGCs
<b>Clauses 11(3) and 11(4)</b> - decide a person has earned, derived, received or become entitled to an amount of income, including compensation for income	SOGAs; SOGBs; SOGCs; ASO6s

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lost or foregone, and deeming particular applicants are receiving amounts equivalent to a relevant pension or benefit.	
<b>Clause 12</b> – disregard current weekly income or average gross weekly income for preceding 26 weeks; decide that a period other than 26 weeks is appropriate.	SOGAs; SOGBs; SOGCs; ASO6s
<b>Clause 13(3)</b> - Determine that outstanding amounts are not repayable in accordance with the loan agreement.	Director, Housing ACT
<b>Clause 13(4)</b> – Where the balance of a rental bond is paid to the housing commissioner, apply all amounts received from the Territory towards repayment of any outstanding amount under the loan agreement; and if the amount exceeds the outstanding balance pay the excess to the applicant.	SOGAs; SOGBs, Financial Controller, Housing & Community Services
<b>Clause 14</b> - request an applicant to provide further information in relation to an application.	SOGAs; SOGBs; SOGCs; ASO6s; ASO5s; ASO4s
<b>Clause 15(2)</b> – notify an applicant of a decision.	SOGAs; SOGBs; SOGCs; ASO6s; ASO5s; ASO4s
<b>Clause 16(2)</b> – extend the period for a person to seek a review of a decision.	SOGAs; SOGBs; SOGCs
<b>Clause 16(4)</b> – review decision or refer it to an advisory committee and accept, vary or reject their recommendation.	SOGAs; SOGBs; SOGCs; ASO6s
<b>Clause 16(5)</b> – notify an applicant of the decision following review under clause 16(4).	SOGAs; SOGBs; SOGCs; ASO6s

This is page 3 of the Schedule to the Instrument of Delegation for the *Housing Assistance Public Rental Housing Assistance Program 2007* (N0 1) under the *Housing Assistance Act 2007* signed by the Commissioner for Social Housing on

**ADDENDUM TO SCHEDULE  
OFFICES REFERRED TO IN SCHEDULE**

**Deputy Chief Executive** Position No E00268

**Executive Director** Position No E00270

**Director Housing ACT** Position No E00139

**Director Asset Management** Position No E00434

**Senior Officer Grade A (SOGA) Property Services and Business Development**  
Position Nos: 4077, 7781, 10053

**Senior Officer Grade B (SOGB) Property Services**  
Position Nos: 7818, 3832, 11710

**Senior Officer Grade A (SOGA) Operational Services**  
Position No: 12132

**Senior Officer Grade B (SOGB)**  
Position No: 10583, 04078

**Senior Officer Grade C (SOGC)**  
Position Nos: 10588, 10582, 04349, 03107, 10580

**Administrative Services Officer Class 6 (ASO6)**  
Position Nos: 03365, 09046, 03844, 06920, 09048, 07618, 03464, 03846, 10889, 09047, 03108, 11287, 03842, 09865, 12395, 07197, 03108, 03844, 03846, 42249, 05079, 09071

**Administrative Services Officer Class 5 (ASO5)**  
Position Nos: 10787, 09066, 09069, 09068, 09090, 09087, 09081, 43516, 03445, 09088, 09083, 09064, 09065, 09089, 09086, 09075, 09072, 09073, 09235, 11293, 03376, 06921, 11045, 03151, 03831, 09085, 09076, 09060, 09058, 09063, 11040, 09074, 09084, 04288, 09077, 09070, 09080, 09082, 09061, 09059, 09062, 26174, 09236, 09237, 09238, 09239, 09240, 10007, 09269, 10006, 09268, 07749, 07750, 07751, 07752, 07753, 07343, 03150, 09267, 11417

**Administrative Services Officer Class 4 (ASO4)**  
Position Nos: 03828, 11306, 10480, 03414, 19895, 09680, 07780, 07769, 07756, 03354, 07757, 07763, 07774, 07767, 07772, 07758, 03414, 03828, 11306

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**ADDENDUM TO SCHEDULE (CONTINUED)**

**Administrative Services Officer Class 3 (ASO3)**

Position Nos: 11445, 19898, 03459, 11449, 03431, 08130, 8074, 11942, 11967, 19899, 03458, 03490, 07789, 07800, 07803, 8074, 07806, 12268, 03487

**Administrative Services Officer Class 2 (ASO2)**

Position No: 12122